

***DRAFT* MEETING MINUTES**  
**Disposal Site Advisory Committee (DSAC)**  
**October 9, 2024**

**COMMITTEE MEMBERS ATTENDING**

Ken Eklund, *Chair*  
Rachel Purcell  
Chuck Gilbert  
Brent Pawlowski  
David Hackleman (online)  
Ian MacNab, *Republic Services Representative*  
Charlene Carroll  
David Livesay

**STAFF**

Bailey Payne, *Solid Waste Program  
Coordinator*

**GUESTS**

Marge Popp, *Community member*  
Julie Jackson, *Republic Services*  
Mark Yaeger, *Community member\**  
Bernie Cummings, *Community member*  
Kevin Kenaga, *Community member*  
Bryn Hazell, *Community member*  
Janet O., *Community member*  
*\*Guests that provided oral comment to the DSAC*

**ABSENT:** Matthew Ruetters (excused), Jeffrey Morrell (excused)

---

**1. Call to Order**

- The meeting was called to order at approximately 6:00 PM by Chair Ken Eklund who reviewed the list of attendees.

**Announcements**

- Regular DSAC (Disposal Site Advisory Committee) meetings are scheduled for the second Wednesday of each month at 6:00 PM through the end of the year.
- The DSAC is not involved in the decision-making process regarding Republic Services' landfill expansion. The decision-makers are:
  1. ENRAC (Environmental Review and Advisory Committee)
  2. Planning Commission
  3. Board of Commissioners
- Public testimony regarding the landfill expansion needs to be directed to the relevant decision-making bodies at appropriate stages.

- It was noted that ENRAC may not have a public comment period, which could affect the public's ability to voice opinions to this committee.

**Committee Change:**

- Matthew Rutgers has announced his resignation due to a standing commitment, and he will no longer be able to participate in DSAC meetings. The committee acknowledged his contributions and wished him well.
- Members offered support to newer members, acknowledging the complexity of the issues and encouraging them to ask questions.

**2. Public Comment**

- **Mark Yeager**, a Benton County resident, raised concerns about Republic Services' construction of a landfill expansion into the quarry site. He emphasized that this expansion, according to Benton County Code Chapter 77, requires a conditional use permit, which he believes has not been obtained.
  - Yeager questioned whether DSAC was aware of the construction and if they had any comments on the issue.
- **Ian McNabb** (Republic Services representative) responded, confirming that the construction in the quarry had been publicly discussed in previous meetings and open houses.

**Discussion:**

- There was a brief discussion about whether the committee members were aware of the construction activities.
- A member raised the issue of quarry operations, noting that it would potentially extend for 14 to 16 years. They referenced discussions involving the county's legal subcommittee and third-party land-use attorneys, but specific documentation was not recalled.
- Clarification was sought regarding the capacity of the quarry area and its relation to cell 6.
- Legal and Land Use Considerations:
  - The Benton County Talks Trash (BCTT) legal subcommittee previously found that the quarry was within the existing landfill footprint, but the details were unclear, and further review of past documents was recommended.
  - A member noted that documents referring to the use of quarry space were outdated, dating to before the quarry excavation, and there is uncertainty regarding land use conditions applied to the area.
- Regulatory Hierarchy: A discussion on the hierarchy of regulatory bodies took place, particularly between Oregon's Department of Environmental Quality (DEQ) and county land use. It was noted that DEQ issues permits, but county land-use approval is needed for the landfill's expansion or use of the quarry area.
- It was suggested to review the findings and recommendations of the Benton County Talks Trash (BCTT) subcommittees, particularly the legal subcommittee's report, as it had extensively looked into the matter. Members were encouraged to revisit [the report](#) for more insight. There was a suggestion to reach out to relevant county officials or the Planning Commission for further clarification.
- It was noted that cell 6 had been approved and constructed by DEQ, but the central issue remains with county land use and not DEQ's approval.
- **Mark Yeager's Comment:** Mark Yeager followed up on Rachel's earlier question, clarifying that the quarry would provide an additional 14 to 16 years of landfill capacity. This estimate was collaboratively developed with Republic Services. He emphasized that this extended capacity is contingent on staying below 1.1 million tons per year of garbage.

## **Next Steps**

- Members agreed to read the legal subcommittee's report between meetings and come prepared with any questions or points of discussion.
- Further investigation into the county's role and any missing documents regarding land-use approvals for the quarry area was encouraged.
- The committee will seek clarification from county officials regarding the land-use process and any documentation related to the quarry area and cell 6.
- No further public comments were made.

## **3. Review and Approval of September 19th Meeting Minutes**

The committee discussed the minutes from the previous meeting. Several amendments were made:

- Absentee Clarification: It was noted that Jennifer Field had notified in advance of her absence, and this should be reflected in the minutes.
- Rewrite of a Statement: The phrase regarding the committee's role in the expansion decision was revised to: "Any testimony regarding the expansion must be submitted to the decision-making bodies to be considered by them. The committee hears concerns as per its function to report them to the Oregon Department of Environmental Quality."
- Deletion of Comment: A comment stating "time limit for public comment was invoked" was removed.
- Clarification on Analysis of Comments: A section regarding future reports was updated to emphasize a need for more "analysis" rather than "synthesis" of community comments in future reports.
- Correction on Fire Department Name: The "Near Fire Department" was corrected to "Adair Rural Fire Department."
- Ken Eklund raised a point regarding page 5/6 of the minutes and the need to clarify that the staff presentation did not fully address the question of how much outreach had been done or planned to make the public aware of DSAC's restart and mission. Another member recalled that the presentation did include some details on outreach activities, and a discussion followed on the accuracy of this statement. It was agreed that the critique was part of the original presentation and should be recorded in the minutes.
- A DSAC member identified a typographical error, stating that "DSAC" stands for "Disposal Site Advisory Committee"
- A line indicating the status of November/December meetings as undecided was suggested to be deleted, as these meetings were already scheduled.
- Motion was made (Chuck Gilbert) to accept the minutes with the amendments discussed. The motion was seconded (Ken Eklund), and the minutes were unanimously approved with the revisions.

## **4. Election of Vice Chair**

- Elections for the Chair will occur before the year ends.
- Nominations were opened:
  - A Chuck Gilbert nominated Rachel Purcell for Vice Chair. Ken Eklund seconded.
  - Rachel accepted the nomination
  - A vote was held and unanimously passed, making Rachel Purcell the DSAC's Vice-Chair.

## **5. Fire Safety Inquiry and Recommendation to Commissioners**

- The fire safety report by David Hackleman was reviewed.
- Discussion on fire safety and the role of DSAC in providing recommendations to the Commissioners was held.
- The document addresses concerns about recent landfill fires, specifically those occurring after hours. Recent incidents involved fires spotted by motorists due to a lack of monitoring on-site during off-hours (6:00 p.m. to 6:00 a.m.).
- Previous fires were caused by “hot loads” of garbage that smoldered upon arrival at the landfill, leading to subsequent fires.
- A specific incident involved a fire that reignited after being partially extinguished during operational hours, which raised concerns about monitoring and communication protocols.
- Discussion about the absence of a current protocol for informing the fire department about extinguished fires during operational hours.
- Members expressed the need for a system to ensure awareness of potential fire hazards.
- Current protocol only involves notifying the fire department when assistance is needed.
- Discussion on whether a notification system for local fire authorities should be implemented for landfill fire incidents. Emphasis on the need for a reliable monitoring system for fire detection, especially during times when no personnel are present at the site.
- Concerns raised regarding the current reliance on passersby to report fires on Highway 99W and the implications of delayed response times.
- The overarching recommendation to the Board of Commissioners is to explore better systems for monitoring fire risks proactively.

### **Suggested Changes to the Document**

- It was noted that an intermediate command level between the Rural Fire Department and the State Fire Marshal should be included in the document for clarification.
- Proposed revisions to clarify conditions under which incidents occurred, particularly around the classification of fires during operational hours versus after hours.
- Emphasis on the importance of addressing both operational and non-operational monitoring for fire safety.
- Suggestions were made for improved communication with local fire authorities regarding incidents to enhance safety measures.
- Current protocol only involves notifying the fire department when assistance is needed.
- Discussion on whether a notification system for local fire authorities should be implemented for landfill fire incidents.

### **Next Steps**

- David Hackleman will continue to refine the fire safety document based on the feedback regarding the language in condition one and consider the implications of proposed changes.
- Members will review the modifications before final approval.
- Staff was asked about the process for submitting recommendations to the Board of Commissioners. It was clarified that the recommendations would be sent to the County Administrator, who would present them to the Board. The Board may invite someone to present further, likely the DSAC Chair.

## **6. Break**

- A five-minute break was observed.

## **7. Updated Coffin Butte Landfill 2023 Annual Report**

- Review of the annual report that was initially presented in July and subsequently returned by the Board of Commissioners for revisions.
  - Republic revised the report, and DSAC was tasked to provide guidance to assist the Commissioners in reviewing the updated document.
  - Rachel summarized the DSAC guidance into a final document that was submitted before the October 1st deadline.
  - Acknowledgment of the challenges faced due to the tight timeline but recognition that the guidance captured the nuances of the committee's remarks effectively.
  - Request made to attach the letter and additional materials from the late packet to the minutes.

### **Discussion on Arsenic Levels**

- Queries raised regarding the reports of high arsenic levels in the landfill's leachate.
  - Clarification sought on whether arsenic levels in groundwater were derived from the leachate or if they were naturally occurring.
  - Emphasis on the need for clearer context regarding background levels of arsenic in the region.
  - Suggestion to include a presentation from a geologist in next year's annual report to help interpret the data and improve understanding of groundwater flow and contaminant levels.
  - David Hackleman mentioned the existence of USGS information about arsenic levels in the Willamette Valley, noting that some groundwater exceeds recommended drinking water levels.

## **8. 2022 Community Concerns Annual Report**

- The staff draft of the 2022 Community Concerns Annual Report needs to be finalized.
- Positive Feedback: Members appreciated the addition of the pie chart summarizing community concerns.

### **Committee Concerns**

- The fourth paragraph discussing the number of complaints in 2021 and 2022 was questioned for its accuracy and relevance. It was suggested that the statement claiming a significant increase in complaints needed substantiation.
- Members were unsure about the inclusion and context of the graph showing total vehicles per year to Coffin Butte landfill, suggesting it may be better to remove it due to a lack of explanation.
- Chair Eklund expressed concern regarding the assumptions made about complaint numbers, highlighting a lack of access to historical data from previous years (2018 and 2019).
- It was discussed that increased community concerns often relate to activities such as conditional use permit applications, but currently, there is no evidence of such spikes in activity.

- Members discussed the potential reasons for an increase in complaints, including total tonnage incoming and vehicle traffic.
- There was a consensus that while speculation about the causes of complaints is plausible, it is essential to substantiate these claims with thorough data analysis.
  - One member expressed concern over the purpose of exploring causes for the complaints, stating that their role is to report comments rather than provide explanations.
  - Another member questioned if their mission was well-defined, emphasizing the importance of providing data and contextual trends.

#### **Report Structure and Contextual Analysis**

- Members debated whether the annual report should focus solely on the current year or also consider previous years for context.
- The conversation highlighted the need for integrating context into data presentations, particularly regarding trends and anomalies.
- A suggestion was made to include a chart showing the number of complaints over the past five years to visualize trends alongside tonnage data.
- The first column in the complaints table was noted to have formatting issues, causing numbers to appear vertically.
- There were calls for standardization in how responses to complaints are presented, especially regarding who provided the responses.
- Discussion ensued regarding the need for clarity on landfill operators' responses to complaints. Members noted the absence of information regarding whether Republic Services were informed of concerns and what actions, if any, were taken.
- It was agreed that the current reporting format should be improved to ensure that all relevant details about responses to complaints are documented.

#### **General Observations and Suggestions**

- Members acknowledged the challenge of tracking responses to multiple complaints.
- There was agreement that thorough investigative work on each complaint might be beyond the scope of their responsibilities.
- It was suggested to visualize the complaint resolution process, clarifying where the trail ends concerning each complaint.
- Member highlighted the report labeled 59, indicating it represents an aggregation of various comments received concerning the landfill issues covered by Benton County Talks Trash.

#### **Historical Context:**

- A historical note was made that the DSAC (Department of Solid Waste Advisory Committee) was prevented from receiving community concerns during the period Benton County Talks Trash was convened.
- The absence of a public comment period in DSAC meetings was due to directives from the Commissioner, who preferred to channel all concerns through Benton County Talks Trash.
- It was discussed that all public comments regarding landfill concerns were directed to Benton County Talks Trash and should be treated similarly to individual complaints received by DSAC.

- Chair Eklund questioned the fairness of not including comments from individuals who submitted complaints directly to Benton County Talks Trash in the report.
- Members confirmed that the current practice allows for individual entries for concerns submitted by mail or testimony at meetings, contrasting past practices where comments were aggregated.
- There was an acknowledgment of the significant volume of comments, with approximately 1,099 pages of material to review, creating challenges in data accessibility.
- The need for better visibility and analysis of specific comments, particularly those aggregated under row 59, was emphasized. A request was made by Chair Eklund for the concerns from row 59 to be broken out for a clearer representation in future reports and updated pie charts.

#### **Action Items**

- Request Bailey to break out the comments aggregated in row 59 for a more detailed analysis in future reports. Bailey noted that it may be extremely time consuming to locate each individual complaint in the BCTT report. He committed to having the information compiled by the January 2025 meeting.
- Update the pie chart based on the newly provided data from row 59 once it has been analyzed.

#### **Next Steps**

- Members will review the detailed comments once they are broken out, and further discussions will follow on how to integrate this feedback into future reports.
- Bailey was tasked with reviewing the BCTT report for relevant comments and compiling this data for the next meeting.
  - Timeline set for completion by the January meeting, depending on the ease of data extraction.

### **9. Request for Agenda Items**

#### **Landfill Monitoring Concerns**

- David Hackleman will also investigate the security measures at the landfill and provide a report at the next meeting.
- Emphasis on ensuring worker safety and prevention of potential vandalism, which is of personal concern due to past incidents. David Hackleman raised concerns regarding potential damage to materials and property at the landfill site. He highlighted that trespassers could affect the workers' safety and environment.
- Further investigation into the monitoring of landfill operations and worker safety is needed.

#### **Permit Notification Requirements**

- DSAC Members reminded Ian about the state law requiring DSAC to be notified about any permit changes from the landfill.
- Action Item: Ensure DSAC receives a copy of the conditional use permit when resubmitted.

#### **EPA Enforcement Alerts**

- A member reported two enforcement alerts from the EPA regarding municipal solid waste landfills dated September 25, 2023:

- Non-compliance in monitoring and maintenance of gas collection systems.
- Underreporting of emissions due to inadequate waste sampling.
- Members will conduct research on these alerts and discuss findings in future meetings.
- An EPA hearing on using remote sensing for landfills will take place later this month.

### **PFAS Gasification Technology**

- Concerns about PFAS (per- and polyfluoroalkyl substances) were raised, especially regarding the potential treatment technologies available for biosolids.
- Next steps: Request a summary of PFAS data and sources, especially regarding groundwater monitoring.
- Invite Republic Services to present on groundwater data related to PFAS.

### **Leachate Monitoring**

- Questions were raised about leachate monitoring, especially regarding its content and potential groundwater impacts.
- DSAC discussed the possibility of a presentation on leachate disposition as part of the annual report next year.

## **10. Adjournment**

- Motion to Adjourn: Rachel moved to adjourn the meeting; Charlene seconded the motion. The motion was approved unanimously.

**Next Meeting:** Wednesday, November 13, 2024

**Minutes Prepared by:** Bailey Payne